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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,069	10/29/2003	Maximilian Josef Spring	2705-0739	8119

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EXAMINER	
CHEA, PHILIP J	

ART UNIT	PAPER NUMBER
2153	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/697,069	SPRING, MAXIMILIAN JOSEF	
	Examiner	Art Unit	
	PHILIP J. CHEA	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 January 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,5-8,11-16,18,20,22-25,28,29,31,33-36 and 39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5-8,11-16,18,20,22-25,28-29,31,33-36,39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to an Amendment filed January 28, 2008. Claims 1,2,5-8,11-16,18,20,22-25,28-29,31,33-36,39 are currently pending. Any rejection not set forth below has been overcome by the current Amendment.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 12-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. In this case, it appears as if the claims are directed to software per se (i.e. a browser), which does not fall under a statutory category.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2,5-8,11-16,18,20,22-25,28-29,31,33-36 and 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Parry (US 2002/0196460).

As per claims 1,12,18,29, Parry discloses a method, as claimed, comprising:

[claim 18] a processor (see paragraph 36);

[claim 18] a bus (see paragraph 36);

opening a first browser window that is Java-enabled to access a remote device over a network, the remote device having a Java applet that, when executed, implements an embedded application of the remote device (see paragraph 34, *describing how a remote device can generate at least one web page that provides an interface for printing device, the web page containing an embedded java applet configured for accessing and managing print jobs stored in the printer device, the "top level control panel" for the printer device is considered the first browser window* see paragraph 43, *that is accessed by workstation 58*);

receiving the Java applet from the remote device over the network with the first browser window, the Java applet including a hypertext transfer protocol (HTTP) server application (see paragraph 40, *describing the workstation with a java enabled browser downloading the Java application stored in the printer (i.e. remote device) memory from the embedded Web server, wherein the Java application includes a console application that is a HTTP server application* (see paragraphs 41 and 44)) that, when executed, downloads an archive file from the remote device and provides a second browser window access to at least a portion of the archive file responsive to one or more HTTP requests from a second browser window (see paragraph 46, *describing when a user executes the java applet for "View Print Queue", a pop-up window (i.e. second browser window) is displayed on the workstation, wherein the archive file is considered the contents that are displayed in the pop-up window in Fig. 4, and* see paragraph 47, *describing how the second browser window can be responsive to HTTP requests such as display and peruse list of print jobs arranged in various categories and accessing folders by clicking on the icons*);

extracting at least one of a hypertext markup language (HTML) based file or image file from the archive file according to the Java applet (see paragraph 47, *describing an extraction of HTML and images files in the form of the interactive "Print View Queue" and icons that can be clicked*);

serving, from the HTTP server application, at least one of the HTML based file or image file received from the remote device responsive to at least one HTTP request for the HTML based file or image file received from the second browser window (see paragraph 47, *describing how the HTML and*

image files are served to workstation 58 for interaction with the page to enable HTTP requests for viewing print queues).

As per claims 2,20,31, Parry further discloses that the HTML based file or image file are compressed when received from said remote device (see paragraph 32) and further comprising uncompressing with said Java applet (i.e. Java application will uncompress the compressed files for viewing).

As per claims 5,22,33, Parry further discloses opening a second browser window for communication with said HTTP server application to access the HTML based file or image file (see paragraph 47).

As per claims 6,23,34, Parry further discloses sending an HTTP request to said HTTP server through said second browser window to access the HTML based file or image file (see paragraphs 47 and 33).

As per claims 7,15,24,35, Parry further discloses using a client workstation as a target host for said second browser window (see paragraph 47)

As per claims 8,25,36, Parry further discloses using a number associated with a non-standard protocol port over which said HTTP server application is registered to form a uniform resource locator (URL) for said second browser window to access (see paragraph [0041], where it is implied if not inherent that the second window of the Java application running the Web server has a non-standard protocol port in order to send and receive information from the Web server running within the Java console).

As per claims 11,28,39, Parry further discloses dynamically generating the HTML based file or the image file using a common gateway interface (GGI) (see paragraph [0054]).

As per claim 13, Parry further discloses that embedded application comprises a device management application associated with said device (see paragraph [0031]).

As per claim 14, Parry further discloses a help system associated with said embedded application (see paragraph [0031]).

As per claim 16, Parry further discloses a decompressing unit for uncompressing the HTML based file or image file using said Java applet to be available to said HTTP server application (see paragraph [0032], i.e. file is uncompressed during use).

Response to Arguments

4. Applicant's arguments filed January 28, 2008 have been fully considered but they are not persuasive.

A) Applicant contends that Parry does not disclose receiving compressed and uncompressed files from the web server when the interactive Java application is executed.

In considering A), the Examiner respectfully disagrees. Parry discloses executing a first instance of a Java application in the form of providing a “top level control Panel” (see paragraphs 43 and 44, *showing how Java applet is used to generate the "top level control panel")*. Since the top level control panel is being executed, a second java instance is generated in the form of a "view print queue" page when a user selects one of the buttons on the “top level control panel” (see paragraph 45, *describing how the instance of view print queue is supported by a java applet)*. Therefore, the second instance of the java applet is received as compressed and uncompressed files (see paragraph 32, *describing how the java applet can comprise compressed or uncompressed files in memory of the printing device*) while the first java instance is executed.

B) Applicant contends that Parry does not disclose providing a second browser window to access at least a portion of the archive file responsive to HTTP requests from the second browser window.

In considering B), the Examiner respectfully disagrees. Parry discloses that a pop-up window is generated when a user clicks on the “view print queue” button from the “top level control panel” (see paragraph 46). Therefore, the Examiner considers the pop-up window to be the second browser window since in paragraph 47, it shows that a user on a workstation can interact with this window by making HTTP requests in the form of displaying and perusing the list

of print jobs arranged in various categories and accessing folders by clicking on the icons. These are HTTP requests because in paragraph 26, it discloses that the web server resident on the printer device communicates via HTTP.

C) Applicant contends that Parry does not disclose serving, from the HTTP server application, at least one of the HTML based file or image file received from the remote device responsive to at least one HTTP request for the HTML based file or image file received from the second browser window.

In considering C), the Examiner respectfully disagrees. In paragraph 47, Parry describes how the HTML and image files are served to workstation 58 for interaction with the page to enable HTTP requests for viewing print queues as shown in Fig. 4.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHILIP J. CHEA whose telephone number is (571)272-3951. The examiner can normally be reached on M-F 6:30-4:00 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Glenton B. Burgess/
Supervisory Patent Examiner, Art Unit 2153

Philip J Chea
Examiner
Art Unit 2153

PJC 4/16/08